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6 **UNITED STATES DISTRICT COURT**
7 **SOUTHERN DISTRICT OF CALIFORNIA**
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9 ARIF DURRANI,

10 Petitioner,

11 vs.

12 S.A. HOLENCIK, LARRY ALAN BURNS,
13 ALBERTO GONZALEZ, Attorney
General,

14 Respondents.

CASE NO. 07CV1249-LAB (NLS)

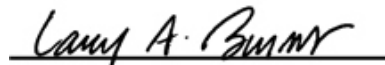
**ORDER GRANTING REQUEST
TO WITHDRAW PETITION**

[Dkt No. 5, 7]

15 On July 10, 2007, petitioner Arif Durrani ("Durrani"), proceeding *pro se*, filed a Petition
16 For Writ of Habeas Corpus ("Petition") purportedly pursuant to 28 U.S.C. § 2241, alleging
17 "illegal detention." The court construed the Petition as seeking 28 U.S.C. § 2255 relief,
18 notified Durrani in an Order entered October 9, 2007 of its intent to recharacterize his filing
19 as a Section 2255 motion, and provided him with the explanation, notice, and admonitions
20 required by Castro v. United States, 540 U.S. 375, 382 (2003). Dkt No. 5. The court gave
21 Durrani the options to withdraw the Petition, to file an Amended Petition, or to proceed with
22 the Petition recharacterized as a Section 2255 motion. Durrani's timely response to the
23 Order instructs the Petition be withdrawn. Dkt No. 7. The request is **GRANTED**.
24 Accordingly, the Clerk of Court shall terminate this action in its entirety, without prejudice.

25 **IT IS SO ORDERED.**

26 DATED: November 2, 2007

27 

28 **HONORABLE LARRY ALAN Burns**
United States District Judge